

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIN M. LAFFERTY, KING COUNTY,
WELLS FARGO BANK, JP MORGAN
CHASE BANK, SEATTLE SAVINGS
BANK,

Defendants.

CASE NO. 2:21-cv-01522-RAJ-BAT

**ORDER DENYING DEFENDANT'S
MOTION TO SELL REAL
PROPERTY, DKT. 63**

Before the Court is Defendant Erin M. Lafferty's Motion to Allow Defendant to Sell Property Located at 6729 Jones Avenue NW, Seattle, Washington 98117 to Pay Alleged IRS Tax Debt. Dkt. 63. Having reviewed the pleadings and the balance of the record, the Court

ORDERS:

(1) Defendant's motion to sell the above real property lacks anything addressing or protecting the United States' interests or the interests of the other lienholder parties. The motion claims Defendant has "not received 'income'" for purposes of owing income tax, and Defendant should be able to sell the property to protect her right not to be deprived of property without due process and just compensation. These claims contradict Defendant's assertion the United States will not be harmed by sale of the real property. The motion also contains nothing indicating Defendant will protect the interests of the other lien holder parties if the real property is sold.

1 The Court thus finds Defendant's motion. Dkt. 63, should be **DENIED** and **DISMISSED**
2 without prejudice.

3 (2) The United States and other lienholder parties are not opposed to the sale of the
4 real property herein if certain conditions of sale and distribution of proceeds can be met, agreed
5 upon, and put into effect. *See* Dkt. 64; Dkt. 65 (Joint Response of Wells Fargo Bank, N.A.,
6 JPMorgan Chase Bank, N.A., Federal National Mortgage Association, and King County). Thus,
7 the Court encourages the parties to meet and confer to determine whether all parties can reach
8 mutual agreement on the terms of the sale of the real property, and the terms regarding
9 distribution of the proceeds following any sale of the real property.

10 (3) The Clerk shall provide a copy of this Order to the parties.

11 DATED this 29th day of August, 2022.

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BRIAN A. TSUCHIDA
United States Magistrate Judge